



# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

#### Special Department

#### Notification

1-13-75-SPL

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of Home Affairs Notification No. F.1/9/68-GP dated the 29th June, 1968, the Administrator of Goa, Daman and Diu is pleased to make the following rules regulating the recruitment of persons to Class I post of Superintending Engineer/Superintending Surveyor of Works in the Public Works Department under the Government of Goa, Daman and Diu.

1. **Short title.**—These rules may be called Goa, Daman and Diu Administration, Public Works Department, Class I (Gazetted) post Recruitment Rules, 1975.

2. **Application.**—These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.**—The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment of the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment

may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Central Government from time to time; and

- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. **Power to relax.**—Where the Administrator is of the opinion that it is necessary or expedient so to do, he may, by order, for reason to be recorded in writing and in consultation with the Union Public Service Commission, relax any of the provisions of these rules in respect of any category of persons/posts.

6. These rules shall come into effect from the date of their publication and will relate to appointments to the various posts made on or after this date.

7. This issues with the concurrence of the Union Public Service Commission under their letter No. F.3/29(1)/75-RR dated 19-8-1975, and in supersession of the rules for the posts of Superintending Engineers/Superintending Surveyor of Works issued under Notification No. OSD/RRVS/13/66 dated 19-2-1969 published in Government Gazette Series I, No. 3 dated 17th April, 1969.

T. Kipgen  
Chief Secretary

Panaji, 25th August, 1975.

## SCHEDULE

Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment, by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a DPC exists, what is to be considered in its composition making recruitment	
1	2	3	4	5	6	7	8	9	10	11	12	13
Superintending Engineer/ Superintending Surveyor of Works	Five	General Central Service Class I Gazetted	Rs. 1100-50- -1600, plus a special pay of Rs. 100/- per month	Selection	Not applicable	Not applicable.	Not applicable	Two years	By promotion	Promotion: Executive Engineers/ Surveyors of Works and Executive Engineers (Electrical/Mechanical) with 3 years' service in the grades rendered thereto on a regular basis.	Class I D.P.C. As required under the U.P.S.C. (Exemption from Consultation) Regulations, 1958.	

## Agriculture Department

## Notification

14-9/AH-AGR/71

## THE GOA, DAMAN AND DIU DISEASES OF ANIMALS RULES, 1975

The following draft rules which the Government of Goa, Daman and Diu proposes to make in exercise of the powers conferred by section 37 of the Goa, Daman and Diu Diseases of Animals Act, 1974 (9 of 1974), are hereby pre-published for information of all persons likely to be affected thereby, as required by sub-section (4) of section 37 of the said Act.

Notice is hereby given that the draft rules will be taken into consideration by the Government on the expiry of 30 days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions, if any, may be sent to the Secretary, Government of Goa, Daman and Diu in Agriculture Department, Secretariat, Panaji, within 30 days of publication of this Notification so that they may be taken into consideration at the time of finalization of the rules.

## DRAFT RULES

In exercise of the powers conferred by section 37 of the Goa, Daman and Diu Diseases of Animals Act, 1974 (9 of 1974), the Government of Goa, Daman and Diu is pleased to make the following rules, namely:—

1. **Short title and commencement.**— (1) These rules may be called the Goa, Daman and Diu Diseases of Animals (Control) Rules, 1975.

(2) They shall come into force at once.

2. **Definitions.**— In these rules, unless the context otherwise requires, —

(a) "Act" means the Goa, Daman and Diu Diseases of Animals Act, 1974 (Act No. 9 of 1974);

(b) "Section" means a section of the Act;

(c) "Veterinary Dispensary" means a place or institution for the treatment of animals established by the Government;

(d) The words and expressions used but not defined in these rules shall have the same meaning assigned to them under the Act.

3. **Marking of the animals.**—All animals inspected, detained or vaccinated at a quarantine station under section 7 shall be liable to be marked by branding the letters "C. D." on the left hand quarter. The last two digits of the calendar year in which such marking is done, shall be branded after the letter "C. D." eg. 75. A fee of fifty paise per animal shall be payable for such marking.

4. **Period of detention.**— The period of detention of animals at a quarantine station for the purpose of inspection, vaccination and marking under section 7(3) shall not exceed 7 days.

**5. Collection of feeding charges of the animal during detention period.**—Whenever an animal is detained at a quarantine station under section 7, the person in charge of the animal shall make necessary arrangement for feeding the animal or in the alternative, pay to the officer in charge of the quarantine station, a fee of Rs. 3/- per animal, per day, to cover the cost of such feeding.

**6. Granting of permit to release any animal from quarantine station.**—At the time of release of any animal from the quarantine station, a permit in the form appended hereto shall be issued under section 7(5) by the officer in charge of the quarantine station to the person in charge of the animal.

**7. Tests to which animal may be submitted.**—The test to which an animal may be submitted under sub-section (1) of section 9, shall be the Tuberculin test in the case of Tuberculosis or the Avian Tuberculin or Johnin test in the case of Johnne's Disease or Mallein test in the case of glanders or farcy or Agglutination test in the case of Brucellosis or Pullorum (Agglutination) Test in the case of Bacillary White Diarrhoea (Pullorum disease). The Veterinary Surgeon may keep the animal under observation, or collect blood or any other material, from any animal suspected to be diseased for the purpose of confirmation of the laboratory diagnosis.

**8. Disposal of non-infective animal in case where there is no cattle pond.**—(1) In the absence of a cattle pond in the vicinity, the Inspector shall, in cases falling under the proviso to sub-section (2) (a) of section 9, send the animal to the nearest Veterinary Dispensary, for maintenance for a period not exceeding seven days when a person who is entitled to its possession cannot, in the opinion of the Inspector, be found and shall display in a conspicuous part of his office and in the said dispensary, a notice stating.—

- (a) the description of the animal;
- (b) the place where it was seized;
- (c) the place where it is kept;

and shall cause proclamation of the same to be made by beat of drums in the village or area and at the market place near the place of seizure.

(2) If the animal be not claimed, within 7 days, from the date of notice under sub-rule (1), it shall be sold by public auction by the Inspector or an officer of his establishment deputed for that purpose at such place and time and subject to such conditions as the Inspector may, by general or special order from time to time direct:

Provided that if the bid of any person for any animal at a public auction is, in the opinion of the Officer authorised to sell it, not a fair price, he may reject the bid, and may dispose of the animal in such manner as he thinks fit.

**9. The manner in which the affected animal is to be dealt with under section 9(2) (b).**—Any animal certified under section 9(2) (b) as affected with Rinderpest or Foot and Mouth Disease shall be segregated, kept under observation and treated till it dies or is declared to be non-infective. In the case of Haemorrhagic Septicaemia, Blackquarter, Anthrax, Brucellosis and South African Horse Sickness, the animal shall be segregated and kept under observation

until it dies or is declared to be non-infective. In case of Rabies, Johnne's Disease and Salmonellosis, the animal shall be destroyed forthwith. In case of Tuberculosis, it shall be destroyed if it is suffering from open Tuberculosis; otherwise it shall be passed after being branded on the neck with letters "C. D. T."

**10. Manner of dealing with animal which is infective, though not diseased.**—If the Veterinary Surgeon certifies under section 9 (2) (c) that an animal is infective, though not diseased, it shall be kept under observation for a period upto 7 days and shall be further dealt with under section 9 (2) (a) or 9 (2) (b), as the case may be.

**11. Compensation for animals destroyed under section 10.**—The compensation to be paid under section 10 in respect of any animal which has been destroyed shall be determined by a committee consisting of the Government Veterinary Officer, the Mamlatdar and a member of a local authority nominated in this behalf by the Collector. In the case of Johnne's Disease, the compensation to be paid shall be determined on the basis of the value of the animal for the purpose of meat at the time the animal was destroyed.

**12. Cleansing and disinfection of vessels and vehicles.**—Every vessel or vehicle to which section 16 applies shall be cleansed and disinfected at least once a month or if it is engaged in transporting affected or infective animals, at such shorter intervals as the Veterinary Surgeon may direct. The disinfection shall be carried out with one or more disinfectants specified in rule 13.

**13. Cleansing and disinfection of infected premises, vessels and vehicles.**—For the purpose of disinfection of any land, building or other place or any vessel or vehicle, in which an infected animal has been kept, one or more of the following disinfectants, shall be used as may be directed by the Veterinary Surgeon, namely:—

- (I) Mercuric chloride 1 in 1,000.
- (II) Milk of chloride of lime 1 in 20.
- (III) Acid carbolie solution 1 in 20.
- (IV) Formalin solution 1 per cent.
- (V) Steam.
- (VI) Formalin vapour.
- (VII) Blow-lamp.

**14. Disinfection or destruction of the perishable articles.**—All perishable articles such as ropes and litter, found on any land, building, place, vessel or vehicle to which section 17 applies, shall be destroyed and fittings disinfected.

**15. Holding of post-mortem examination.**—When an animal is suspected to have died of a scheduled disease and has been buried in a locality known to be free from it and it is necessary to examine the carcass, the Veterinary Surgeon shall cause the carcass to be exhumed for the purpose of diagnosis under section 18 provided that if the history of the case suggest that the animal had died of Anthrax, no exhumation shall be done. In such case it shall be lawful for the Veterinary Surgeon to take blood smears from the auricular vein or a piece from the muscle of a carcass for the purpose of diagnosis.

**16. Procedure for entry and inspection.**—(1) The Veterinary Surgeon shall enter upon and inspect any land or building or other place or any vessel or vehicle in the presence of the owner or any person in charge of such land, building, place, vessel or vehicle after giving due notice to such owner or person in charge. If such owner or person is not available or is unwilling to accompany the Veterinary Surgeon, it shall be lawful for the Veterinary Surgeon to enter upon and inspect such land or building or other place or any vessel or vehicle, provided he is accompanied by the village Patel or the officer in charge of the nearest Police Station or Police Outpost, and it shall be the duty of the Village Patel or the concerned police official, as the case may be, to render such assistance as may be required by the Veterinary Surgeon under section 25 of the Act.

(2) Subject to the provisions of sub-rule (1), it shall be lawful for the Veterinary Officer or the Inspector to enter upon and inspect such land, building or other place or any vessel or vehicle at any time of the day or night.

**17. The distance from the shore within which the carcass or any part of the carcass shall not be placed.**—The distance from the shore within which the carcass or any part of the carcass of any animal shall not be placed or caused or permitted to be placed under section 23 shall be 500 metres.

**18. The prescribed authority for the purpose of section 11, 12 and 13 shall be the Director of Animal Husbandry & Veterinary Services, Goa.**

#### Form of permit

Permit under section 7(5) of the Goa, Daman and Diu Diseases of Animals Act, 1974 and rule 6

This is to certify that at the request of ... place ... Taluka ... District ... I have this day hereby licenced the removal of the animal/animals, part/parts or product/products of animals hide/hides/skin/skins/vessel/vessels line-gear/harness cloth/clothes/other appurtenance described below by ... s/o ... the person in charge of the said animal/animals/part/parts or product/products of animal hides/skin/skins/vessel/vessels/linegear/harness-cloth/clothes/other appurtenance who shall produce it whenever required to do so by an Inspector or a Police Officer.

#### Description of animal/animals

Breed ...  
Sex ...  
Colour ...  
Approximate age ...  
Brand or any other mark or marks of identification ...  
Number of hides and skins, vessels, linegear, harness clothes or other appurtenances and their brief description: ...  
...  
...  
...  
The hides and skins and other articles are marked with the following seal for identification.  
Place of issue of certificate ...  
Date ...

Signature of the Veterinary Surgeon  
(Name in block letters)

By order and in the name of the Lt. Governor  
of Goa, Daman and Diu.

Abel do Rosario, Under Secretary (Development).  
Panaji, 1st September, 1975.

## Law and Judiciary Department

### Notification

LD/2302/75

The following Central Bill which was recently passed by the Parliament and assented to on 12th May, 1975 by the President of India is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 4th July, 1975.

## The Tobacco Cess Act, 1975

AN

ACT

[12th May, 1975]

*to provide for the levy and collection, by way of cess, of a duty of excise on virginia tobacco and a duty of customs on tobacco, for the development of tobacco industry and for matters connected therewith.*

Be it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:—

**1. Short title, extent and commencement.**—(1) This Act may be called the Tobacco Cess Act, 1975.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions.

**2. Definitions.**—(1) In this Act, unless the context otherwise requires,—

(a) "Board" means the Tobacco Board established under section 4 of the Tobacco Board Act, 1975; 4 of 1975.

(b) "prescribed" means prescribed by rules made under this Act;

(c) "registered auction platform" means an auction platform registered with the Board in accordance with the rules made under the Tobacco Board Act, 1975. 4 of 1975.

(2) All words and expressions used in this Act and not defined, but defined in the Tobacco Board Act, 1975, shall have the meanings respectively assigned to them in that Act. 4 of 1975.

**3. Duties of excise on virginia tobacco.**—(1) There shall be levied and collected, by way of a cess for the purposes of the Tobacco Board Act, 1975, a duty of excise at the rate of one paise per kilogram on virginia tobacco which is produced in India and sold at a registered auction platform. 4 of 1975.

(2) The duty of excise levied under sub-section (1) shall be in addition to any cess or duty leviable on virginia tobacco under any other law for the time being in force.

(3) The duty of excise payable under sub-section (1) in respect of any virginia tobacco sold at a registered auction platform shall be payable by the seller thereof to the person or authority prescribed in respect of such platform.

(4) The person or authority prescribed in respect of a registered auction platform shall collect the duty of excise payable on virginia tobacco sold at such platform and pay the amount so collected to the Central Government in such manner and within such time as may be prescribed.

(5) If any duty of excise payable under this section, or if any amount collected under this section by way of such duty, has not been paid to the Central Government within the period prescribed under sub-section (4), the Central Government may recover such duty or amount in the same manner as an arrear of land revenue.

#### 4. Duties of customs on tobacco. —

(4) There shall be levied and collected, by way of a cess for the purposes of the Tobacco Board Act, 1975, a duty of customs at such rate not exceeding one per cent *ad valorem* as the Central Government may specify, by notification in the Official Gazette, on all tobacco, which is exported. 4 of 1975.

*Explanation.* — “Exported” means taken out of India by land, sea or air.

(2) The duties of customs levied under sub-section (1) shall be in addition to any cess or duty leviable on tobacco under any other law for the time being in force.

(3) The provisions of the Customs Act, 1962 and the rules and regulations made thereunder, including those relating to refunds and exemptions from duty, shall, as far as may be, apply in relation to the levy and collection of the duty of customs leviable under sub-section (1) as they apply in relation to the levy and collection of duties of customs under that Act or those rules and regulations. 52 of 1962.

5. Crediting proceeds of duties to Consolidated Fund of India. — The proceeds of the duties of excise and customs levied under sections 3 and 4 respectively shall first be credited to the Consolidated Fund of India and the Central Government may if Parliament, by appropriation made by law in this behalf, so provides, pay to the Board, from time to time, from out of such proceeds after deducting the expenses on collection, such sums of money as it may think fit for being utilised for the purposes of the Tobacco Board Act, 1975. 4 of 1975.

6. Penalty for evasion of duty of excise payable under section 3. — Whoever wilfully or intentionally evades or attempts to evade the payment of any duty of excise payable by him under section 3, or the payment of any amount collected by way of duty under that section shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

7. Offences by companies. — (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.* — For the purposes of this section, —

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

8. Jurisdiction of court. — No court inferior to that of a Metropolitan Magistrate or a Magistrate of the first class shall try any offence punishable under this Act.

9. Previous sanction of Central Government. — No prosecution for any offence punishable under this Act shall be instituted except with the previous sanction of the Central Government.

10. Protection of action taken in good faith. — No suit, prosecution or other legal proceeding shall lie against the Central Government or any officer or other employees of the Central Government or against the Board or any officer or employee of the Board for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

11. Power of Central Government to make rules. — (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: —

(a) the assessment and collection of the duties of excise levied under section 3 and the functions and powers which may be exercised and the duties which may be discharged in connection therewith by the Board or any officers or other employees of the Board;

(b) the persons or authorities who may collect duties of excise under sub-sections (3) and (4) of section 3, the time within which and the manner

in which the proceeds of such duties of excise shall be paid to the Central Government;

(c) the returns which the persons or authorities referred to in clause (b) shall furnish to the Central Government and the form and the manner in which and the intervals at which such returns shall be furnished;

(d) any other matter which has to be, or may be, prescribed by, or provided for, by rules, under this Act.

(3) In making any rule under this section, the Central Government may direct that a contravention thereof shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, and in the case of a continuing contravention, with an additional fine which may extend to fifty rupees for every day during which such contravention continues after conviction for the first such contravention.

(4) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

#### Notification

LD/2691/75

The following notifications received from the Government of India, Ministry of Agriculture and Irrigation, New Delhi, are hereby republished for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 26th July, 1975.

#### GOVERNMENT OF INDIA

#### MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Agriculture)

New Delhi, dated the 3rd July, 1975

#### Notification

No. 10-23/75-STU

G. S. R. 395(E) — In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government

hereby makes the following order further to amend the Fertiliser (Control) Order, 1957, namely: —

1. (1) This Order may be called the Fertiliser (Control) second Amendment Order, 1975.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In Schedule I to the Fertiliser (Control) Order, 1957, under the heading «A. Specifications of fertilisers»,

(i) In column 1 relating to «Name of Fertiliser» against Item 6 for the words «Superphosphate, Single», the words, figures and letters «Superphosphate, Single, Grade I—16% P<sub>2</sub>O<sub>5</sub>» shall be substituted;

(ii) against Item «38 Anhydrous Ammonia», in «specifications (iii) the words «percent» shall be omitted;

(iii) after Item 38 and entries relating thereto, the following item and entries shall be inserted, namely: —

«39. Superphosphate, Single Grade II-14%P <sub>2</sub> O <sub>5</sub> »	(i) Moisture per cent by weight maximum	12.0
	(ii) Free phosphoric acid (P <sub>2</sub> O <sub>5</sub> ) per cent by weight, maximum	4.0
	(iii) Water soluble phosphates (as P <sub>2</sub> O <sub>5</sub> ) per cent by weight, minimum	14.0

Sd/-

KUMARI ANNA R. GEORGE

Joint Secretary to the Govt. of India.

New Delhi, the 3rd July, 1975

#### Notification

No. 10-8/75-MPR-STU

S. R. O. 396(E) — In exercise of the powers conferred by Section 12-A of the Essential Commodities Act, 1955 (10 of 1955) the Central Government hereby specifies the Fertiliser (Control) Order, 1957, issued under section 3 of the said Act, to be a special Order for purposes of summary trial under the said section 12-A.

Sd/-

KUMARI ANNA R. GEORGE

Joint Secretary to the Govt. of India.